



1752
PATENT
30205/37456

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Geun Su Lee et al.

Serial No.: 09/884,313

Filed: June 19, 2001

For: Photoresist Polymer for Top-Surface Imaging Process by Silylation and Photoresist Composition Containing the Same

Group Art Unit: 1752

Examiner: Yvette M. Clarke

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on **September 6, 2002**, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement imposed in the office action on August 7, 2002, applicants respectfully elect Group I, claims 1-3 and 8-13, *with traverse*.

Applicants respectfully submit that the restriction requirement is improper as the claims of Groups I-V have unity of invention and that a proper search for Group I would inevitably cover the classes and subclasses listed for Groups II-V.

Further, the Patent Office takes the position that the restriction between Groups I and II is improper because the polymers of Groups I could be made by a process different than that recited in Group II. This is a mere hypothetical and the Patent Office has provided no evidence that its copolymerization of five separate monomers could form a penta-polymer. Accordingly, applicants respectfully submit that the restriction between Groups I and II is improper and should be withdrawn.

The Patent Office justifies that the restriction between Groups I and III because unity of invention is clearly established in that a search regarding Group I would inevitably cover the subject matter of Group II and *vice versa*.

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The Patent Office justifies the restriction between Group I and IV on the alleged basis that the product of Group I could be used in a process other than forming a photoresist pattern. This is merely hypothetical; there is no evidence of record indicating that the polymers of Group I have uses other than as "photoresist polymers" which is recited in all claims of Group I. Further, the claims of Group IV require use of the polymers of Group I, clearly establishing unity of invention and the inappropriateness of the restriction requirement.

Finally, applicants respectfully submit that the restriction between Groups I and V are clearly improper, that these groups have unity of invention, and a search for one group would necessarily cover the search for the other group. Accordingly, the restriction between Groups I and V is improper and should be withdrawn.

An early action on the merits is respectfully requested.

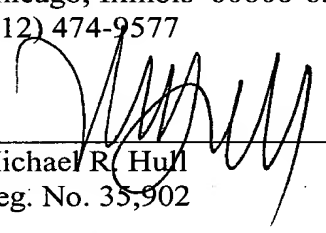
The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Respectfully submitted,

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September 6, 2002

By:



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